

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

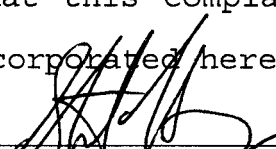
'08 MJ 8799

UNITED STATES OF AMERICA)	Magistrate Case No.:
)	
Plaintiff,)	COMPLAINT FOR VIOLATION OF
)	
v.)	21 U.S.C. § 952 and 960
)	Importation of a Controlled
Antonio GARCIA-Mendoza)	Substance (Felony)
)	
Defendant.)	
)	
)	
)	

The undersigned complainant being duly sworn states:

That on or about August 29, 2008, within the Southern District of California, defendant Antonio GARCIA-Mendoza, did knowingly and intentionally import approximately 17.20 kilograms (37.84 pounds) of Cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


 Stewart Harvey
 Special Agent
 U. S. Immigration & Customs
 Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd DAY OF SEPTEMBER 2008.


 PETER C. LEWIS
 UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Antonio GARCIA-Mendoza

4 STATEMENT OF PROBABLE CAUSE

5 I, Special Agent Stewart Harvey, declare under penalty of perjury,
6 the following is true and correct:

7 On August 29, 2008, at approximately 1540 hours, Antonio GARCIA-Mendoza
8 entered the United States through the Calexico, California West Port of Entry.
9 GARCIA was the driver and sole occupant of a 2005 Chevrolet Cheyenne bearing
10 Baja California, Mexico license plate AL72535.

11 Customs and Border Protection, Canine Enforcement Officer (CEO) J. Jones
12 was conducting a pre-primary operation with his Narcotic Detector Dog (NDD),
13 "Trigger." CEO Jones' NDD alerted and responded to the rear of the vehicle
14 driven by GARCIA. CEO Jones then notified Primary Customs and Border
15 Protection Officer Soto of the positive alert.

16 Primary CBPO Soto received a negative Customs declaration from GARCIA.
17 Shortly after receiving a negative Customs declaration from GARCIA, CBPO Soto
18 and CEO Jones escorted GARCIA and the vehicle to the vehicle secondary lot for
19 further inspection. CBPO Soto then escorted GARCIA to the vehicle secondary
20 office to conduct a patdown.

21 Upon further inspection of the vehicle, CBPO Soto discovered fourteen
22 (14) packages containing a white powdery substance, which field-tested
23 positive for cocaine. A total of 17.20 kilograms (37.84 pounds) of cocaine
24 were concealed in a non-factory compartment located in the bed of the vehicle.

25 During the post arrest interview, GARCIA stated he was told he would be
26 smuggling four kilograms of cocaine. GARCIA further stated he was going to be
27 paid \$2000.00 for smuggling cocaine into the United States.

28 GARCIA was arrested in violation of 21 U.S.C. § 952 & 960, Importation
of a Controlled Substance. LEON was then transported to the Imperial County
Jail for processing.

Executed on 08/30/08 @ 0250 hours.

Stewart Harvey, Special Agent
U. S. Immigration & Customs Enforcement

On the basis of the facts presented in this probable cause statement consisting
of 1 page. I find probable cause to believe that the defendant named in this
probable cause statement committed the offense on 08/29/08 in violation of 21 U.S.C. §§
952 & 960.

Leo S. Papas
United States Magistrate Judge

8/30/08 - 1145A
Date/Time